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**Request****for****Continued Examination (RCE)  
Transmittal**

Address to:  
 Mail Stop RCE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450



Application Number	09/926,327
Filing Date	October 15, 2001
First Named Inventor	Del Soldato
Art Unit	1616
Examiner Name	Badio, B.P.
Attorney Docket Number	026220-00015

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

- 1. Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
 ii.  Other \_\_\_\_\_

- b.  Enclosed

- |   |   |
|---|---|
| i. <input type="checkbox"/> Amendment/Reply               | iii. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS) |
| ii. <input type="checkbox"/> Affidavit(s)/ Declaration(s) | iv. <input type="checkbox"/> Other _____  |

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_. I have enclosed a duplicate copy of this sheet.

- |   |                                       |
|---|---------------------------------------|
| i. <input type="checkbox"/> RCE fee required under 37 CFR 1.17(e)           | 12/07/2004 SSITHIB1 00000058 09926327 |
| ii. <input type="checkbox"/> Extension of time fee (37 CFR 1.136 and 1.17)  | 01 FC:2801 395.00 OP                  |
| iii. <input type="checkbox"/> Other _____                                   |                                       |
| b. <input checked="" type="checkbox"/> Check in the amount of \$ 395.00     | enclosed                              |
| c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed) |                                       |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature	Date	December 6, 2004
Name (Print/Type)	Registration No.	53,481

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	Date
Name (Print/Type)	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**Arent Fox**  
ATTORNEYS AT LAW

December 6, 2004

**VIA AIRMAIL**

Ms. Elena Viganò  
Nicox Research Institute S.r.l.  
Via Ariosto 21  
20091 Bresso-Milano  
ITALY

**Richard J. Berman**  
202.857.6232 DIRECT  
202.857.6395 FAX  
[berman.richard@arentfox.com](mailto:berman.richard@arentfox.com)

**Gautam Prakash, Ph.D.**  
PATENT AGENT  
202.857.6057 DIRECT  
202.857.6395 FAX  
[prakashg@arentfox.com](mailto:prakashg@arentfox.com)

Re: **Request for Continued Examination filed**  
U.S. Patent Application Serial No. 09/926,327  
Del Soldato  
PHARMACEUTICAL COMPOUNDS  
Your Reference: HF2042/USA  
Our Reference: 026220-00015

Dear Elena:

Thank you for your electronic mail message of November 30, 2004. In accordance with your instructions we prepared, and are filing today at the U.S. Patent and Trademark Office, a Request for Continued Examination (RCE) and an Information Disclosure Statement (IDS). We enclose a copy of the papers filed for your records and our debit note will follow with the billing copy of this letter.

In accordance with the instructions in your letter of November 29, 2004, we shall prepare and file a divisional application directed to the invention of Group II using the claims you sent us. We shall forward information on the divisional application to you under a separate cover.

We shall keep you updated on the progress of the current application. Please do not hesitate to contact us if you have any questions.

Best regards,

AREN'T FOX PLLC

Richard J. Berman

RJB/GP

Gautam Prakash, Ph.D.

Enclosures: RCE filed at the U.S. Patent and Trademark Office on December 6, 2004  
IDS and Form PTO-1449

RPP/105645.1